

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ROBERT N. HARRINGTON, JR.)
Plaintiff)
VS)
JAMES M KREIDLER, JR. AND)
THE TOWN OF WINCHENDON)
Defendants)

CASE NUMBER 05-40115 FDS

DEFENDANTS' MOTION FOR EXTENSION OF TIME

The defendants hereby ask that this Court extend the time within which the defendants must file a responsive pleading to and including November 23, 2005.

As reasons for this motion, counsel for the defendants state the following:

1. The complaint was served upon the defendant, James Kreidler, Jr., on October 7, 2005;
2. The undersigned counsel was retained to represent the defendants on October 13, 2005;
3. Counsel for the defendants was conducting a jury Trial in the United States District Court, Eastern Division, Porto v Tewksbury, Civil Action No. 04 - 10003 PBS on October 13, 2005, which Trial did not conclude until Friday, October 21, 2005;
4. Counsel for the defendants will meet with his clients on October 27, 2005, and will require the additional time to obtain and digest the information necessary for the preparation of a responsive pleading.
5. The defendants have not requested any previous enlargement of time in this matter.

WHEREFORE, The defendants hereby ask that this Court extend the time within which defendants must file a responsive pleading to and including November 23, 2005.

Respectfully submitted,

DEFENDANTS,
By their attorneys,

/s/ Leonard H. Kesten
Leonard H. Kesten. BBO No. 542042
BRODY, HARDOON, PERKINS & KESTEN, LLP
One Exeter Plaza
Boston, MA 02116
617-880-7100

Dated: October 26, 2005

LOCAL RULE 7.1(A)(2) CERTIFICATION

I hereby certify that I have conferred and corresponded with counsel for the plaintiff and have attempted in good faith to resolve or narrow the issues raised in this motion.

/s/ Leonard H. Kesten
Leonard H. Kesten. BBO No. 542042